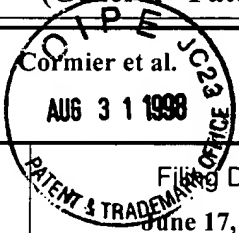


P 3734

TRANSMITTAL LETTER (General - Patent Pending)		Docket No. ARC 2466 R!	
In Re Application Of: Cormier et al.			
Serial No. 08/877,155	Filing Date June 17, 1997	Examiner S. Finkel	Group Art Unit 3734



Title: Device and Method for Enhancing Transdermal Flux of Agents Being Delivered or Sampled

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

RECEIVED
SEP 02 1998
TECHNOLOGY CENTER 3700

Transmitted herewith is:

Response to Restriction Requirement

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 01-1173 as described below. A duplicate copy of this sheet is enclosed.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

Signature

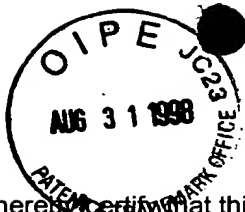
Dated: August 26, 1998

D. Byron Miller Registration No. 30,661
Attorney for Applicant(s)

ALZA Corporation
950 Page Mill Road
Palo Alto, CA 94303
(650) 496-8150

I certify that this document and fee is being deposited on 8/26/98 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
Signature of Person Mailing Correspondence	
Renee Lamantia	
Typed or Printed Name of Person Mailing Correspondence	

CC:



1

ARC 2466R1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail under 37 CFR § 1.8 in an envelope addressed to: Assistant Commissioner for Patents, Washington, D. C. 20231 on this date: 8/26/98

By Renee Samanta

S. Little
9-3-98
#8/Election

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Cormier et al.)

Serial No. : 08/877,155)

Art Unit: 3734

Filed : June 17, 1997)

Examiner: S. Finkel

For : DEVICE AND)
METHOD FOR)
ENHANCING TRANSDERMAL)
FLUX OF AGENTS BEING)
DELIVERED OR SAMPLED)

Response to Restriction
Requirement

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In response to the Official Action mailed August 14, 1998, Applicants elect with traverse the invention of group II, claims 6-7 and 30-31 for further prosecution in this application. This election is made without prejudice to Applicants right to file one or more divisional applications directed to the non-elected claims.

In paragraph 4 of the Official Action, the Patent Office states that inventions IV and I are patentably distinct because the product defined in group I can be made by another process than that specified in group IV, namely, by adhesively bonding the microblades to a substrate and thereafter punching a hole(s) in the substrate. Applicants disagree with this point to the extent that the claims are directed to (1) very tiny microblades (see claims 15, 19-20, 37 and 41-42 which are part of group I); (2) very high blade densities (see claims 13-14 and 35-36 which are part of group I); and (3) specific blade angles (see claims 17-18 and 39-40). These three claimed features can only

practically be made, on a micron size scale, by the photoetching/punching process of group IV. None of these claimed features can practically be made by the alternate process of gluing the blades to the substrate, as proposed by the Patent Office. Accordingly, reconsideration of this portion of the restriction is respectfully requested.

Respectfully Submitted,

Date: August 26, 1998


D. Byron Miller, Registration No. 30,661
Attorney for Applicants

ALZA Corporation
950 Page Mill Road
P.O. Box 10950
Palo Alto, CA 94303-0802
(650) 496-8150